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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,448	03/07/2000	Yoshiki Watanabe	21.1932	1165

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/521,448

Applicant(s)

WATANABE, YOSHIKI

Examiner

Mylinh T Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-5,7-9 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-9 and 11-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

Applicant's CPA filed 06/19/03 has been entered and carefully considered.

Claims 1, 5, 9 and 13-21 have been amended. However, limitations of amended claims have not been found to be patentable over prior art of record and newly discovered prior art, therefore, claims 1, 3-5, 7-9 and 11-21 are rejected under the new ground of rejection as set forth below.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, 7-9 and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ertemalp [US. 5,745,110] in view of Leong et al. [US. 5,513,342].

As to claims 1, 5 and 9, Ertemalp discloses a layout control device forming a layout of a schedule table comprising rows and columns defining the layout, the layout formed based on a schedule quantity inside a plurality of display units (figure 11, column 4, line 51 through column 5, line 2); a display control device controlling display of the schedule table according to the layout (column 9, line 63 through column 10, line 7 and column 10, lines 35-53); The difference

between Ertermalp and the claim is wherein the layout control device forms the layout by adjusting a size of the rows or columns to accommodate the schedule quantity inside the plurality of display units. While Ertermalp shows the size of the row and column, schedule quantity inside the plurality of display units, Leong et al. teaches the method of automatically adjusting window size and positioning in accordance with window environment changes (column 2, lines 32-45). It would have been obvious to one of ordinary skill in the art, having the teachings of Ertermalp and Leong et al. before them at the time the invention was made to modify the layout control device taught by Ertermalp to include the method of automatically adjusting window size of Leong to combine into "the layout control device forms the layout by automatically adjusting a size of the rows or columns based on the schedule quantity inside the plurality of display units to accommodate the schedule quantity inside the plurality of display units with the motivation of being to display in each column or row with the largest number of items and/or schedule requiring the largest display area as taught by Leong et al.

As to claims 3, 7 and 11, Ertermalp shows the schedule quantity is a space required for a schedule in a row or a column with a largest number of items and/or the schedule requiring a largest display area and the layout control device forms the layout such that each display unit with the largest number of items and/or the schedule requiring the largest display area is displayed (column 2, lines 51-60 and column 5, lines 15-34).

As to claims 4, 8 and 12, Ertemalp also shows the display control device outputs data controlling the schedule table and the schedule display to a file of a format interpretable by another processing platform (column 6, lines 24-47 and column 1-10, lines 5-52).

As to claim 13, while Ertemalp suggests the layout device dividing a calendar period into a plurality of display units displaying information, said display units formed in rows (figure 11, column 2, lines 30-60), Mizuno shows the adjusting a length of the display units of each row to match the display unit in a respective row displaying a largest size of information inside the display unit (Column 1, lines 57-63)

As to claims 14-21, the claim is analyzed as previously discussed with respect to claims 1 and 13.

### ***Response to Arguments***

Regarding the argument, Applicant does not see where Ertemalp discloses "a layout control device forming a layout of a schedule table comprising rows and columns defining the layout, and that the layout is formed based on a schedule quantity inside a plurality of display units". The Examiner previously cited figure 11 and columns 4, 5 for the feature. Figure 11 is clearly the layout control device forming a layout of a schedule table including rows and columns defining the layout. Also, columns 4 and 5 supports for this feature in detail. The Examiner also wants to cite one more column to support for " the layout is formed based on a schedule quantity inside a plurality of display units".

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Applicant's attention is directed to column 10, lines 5-22 "Changing the font size will cause the configurable task bar in a daybox to take up more space (if the new font size is bigger) or less space (if the new font size was smaller). The position of other task bars to be displayed in the same daybox must be adjusted to ensure all the tasks will fit in the vertical space. Adjustments are made in the task layout each 81 by re-calculating the vertical position ...". The underlined words disclose more clearly the feature "the layout is formed based on a schedule quantity inside a plurality of display units".

For all other arguments with respect to claims 1, 5, 9 and 13-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-4395 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran  
Art Unit 2174

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